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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/784,840	02/15/2001	Yakov Kamen	04688P002	3827

33448 7590 06/03/2004

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EXAMINER

TRAN, MYLINH T

ART UNIT

PAPER NUMBER

2174

19

DATE MAILED: 06/03/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/784,840

**Applicant(s)**

KAMEN ET AL.

**Examiner**

Mylinh T Tran

**Art Unit**

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on Amendment filed 02/15/01.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                        | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                                    |

### **DETAILED ACTION**

Applicant's Amendment filed 03/10/04 has been entered and carefully considered. Claim 2 is amended. However, limitations of the amended claim has not been found to be patentable over prior art of record, therefore, claims 1-11 are rejected under the same ground of rejection as set forth in the Office Action mailed 09/05/03.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-4 and 6-11 are rejected under 35 U.S.C. 102(b) as being anticipated by Marrin et al. [US. 5,808,613].

As to claims 1, 6 and 9, Marrin et al. disclose converting information obtained from a uniform resource locator into at least one texture (column 14, lines 8-45); and mapping the at least one texture on a geometric surface which forms the three-dimensional navigation mechanism (column 3, lines 46-67); and an interconnect couple to the process and the memory to allow the data to be transported between the memory and the processor (there is an interconnection between the processor and the memory in the computer system).

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As to claim 2, Marrin et al. also discloses intercepting at least one event associated with an image created from information obtained from the uniform resource locator (column 14, lines 30-48, user does something (event) on the image of figure 2); locating the geometric surface in the virtual three-dimensional space associated with the at least one event (column 4, lines 1-18); computing a position of the geometric surface on the three dimensional object in the virtual three-dimensional space (column 6, lines 8-35, Marrin et al. cites "Tilt knob allows the user to tilt the camera up, down, left, or right while the user remains stationary in this or her current position in the world..". So, the position of the camera is computed on the 3D).

As to claim 3, Marrin et al. teaches placing an event driven result on the geometric surface of the three-dimensional object (column 4, lines 1-35).

As to claims 4, 8 and 10, Marrin et al. also teaches a three dimensional pipeline is used in converting information obtained from the at least one uniform resource locator (column 14, lines 1-45).

As to claims 7 and 11, the claim is analyzed as previously discussed with respect to claims 2 and 3

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said

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subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Marrin et al. in view of Bardon et al. [US. 6,081,271].

As to claim 5, the difference between Marrin et al. and the claim is transforming a two-dimensional navigation mechanism to a three dimensional navigation mechanism. Bardon et al. shows the feature at column 4, lines 30-48. It would have been obvious to one of ordinary skill in the art, having the teachings of Marrin et al. and Bardon et al. before them at the time the invention was made to modify the method of navigating a virtual three-dimensional space taught by Marrin et al. to include the navigating two-dimensional space of Bardon et al., in order to allow the operating systems recognizing the position of the surface on the three dimensional object as taught by Bardon et al.

### ***Response to Arguments***

Regarding claims 1, 6 and 9, Applicant has argued Marrin et al. does not teach "converting information obtained from a uniform resource locator into at least one texture and mapping the at least <sup>one</sup> ~~on~~ texture on a geometric surface <sup>KK</sup> which forms the three dimensional navigation mechanism". However, Marrin et al. shows the converting step at column 14, lines 9-40 and column 3, lines 46-67. Applicant's attention is directed to the lines "The user can specify a chosen URL as his or her Home Scene. The Home Scene is the scene or world which <sup>is</sup> <sub>^</sub> automatically loaded when the user enters the navigator..." and <sup>KK</sup>

"A 3D navigator allows a user to browse a network such as the world-wide web using a 3D world having objects that identify available sites..The navigator provides a view of a 3D world from the virtual position of a virtual observer...".

Regarding claim 2, Marrin et al. discloses intercepting at least one event associated with an image created from information obtained from the uniform resource locator (column 14, lines 30-48, user does something (event) on the image of figure 2); locating the geometric surface in the virtual three-dimensional space associated with the at least one event (column 4, lines 1-18), Marrin et al. cites "A 3D navigator allows a user to browse a network such as the world-wide web using a 3D world having objects that identify available sites..The navigator provides a view of a 3D world from the virtual position of a virtual observer..."; computing a position of the geometric surface on the three dimensional object in the virtual three-dimensional space (column 6, lines 8-35). Applicant's attention is directed to the lines "Tilt knob allows the user to tilt the camera up, down, left, or right while the user remains stationary in this or her current position in the world.." So, the position of the camera is computed on the 3D.

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

***Conclusion***

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires fax a response, (703) 746-7238), may be used for formal After Final communications, (703) 746-7239 for Official communications, or (703) 746-7240 for Non-Official or draft communications. NOTE, A Request for Continuation (Rule 60 or 62) cannot be faxed.

Please label "PROPOSED" or "DRAFT" for information facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Fourth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran whose telephone number is (703) 308-1304. The examiner can normally be reached on Monday-Thursday from 8.00AM to 6.30PM

If attempt to reach the examiner by telephone are unsuccessful, the examiner 's supervisor, Kristine Kincaid, can be reached on (703) 308-0640,

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Mylinh Tran  
Art Unit 2174

*Kristine Kincaid*  
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